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VIA CM/ECF

February 21, 2024

Honorable John L. Sinatra, Jr.
United States District Judge
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: *Hardaway et al. v. Nigrelli et al.* | Case No. 1:22-cv-771-JLS

Dear Judge Sinatra:

We represent the Plaintiffs in this matter, and jointly with Acting Superintendent Chimento's counsel Ryan Belka, Esq. of the N.Y.S. Attorney General's office, respectfully request an enlargement of the briefing schedule for Plaintiffs' Section 1988 fee application. In accordance with the Court's Text Order (Dkt. 80), the fee application is currently due Feb. 23, 2024, with responses due March 22, 2024, and replies due April 5, 2024. We request a 30-day enlargement, so that the fee application (if any) will be due March 22, 2024, responses due April 19, 2024, and replies due May 3, 2024.

Plaintiffs and the Superintendent believe that good cause exists to extend the briefing schedule, because this will afford the parties additional time to attempt a negotiated resolution on fees and thereby avoid litigating the issue. Our efforts to compromise entail sharing information with the Superintendent's counsel, followed by discussions thereof, and a short extension will further this process. We did not seek the views of Defendant District Attorneys Seaman and Flynn on this extension request, because Plaintiffs are not seeking fees from those defendants.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicolas J. Rotsko", written over a horizontal line.

Nicolas J. Rotsko, Esq.

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cc: Counsel of record via CMECF